

September 21, 1999

Coddling Terrorists?

On August 11, 1999, President William Jefferson Clinton offered clemency to members of the Armed Forces of National Liberation (the Spanish acronym is FALN), a group devoted to the violent pursuit of Puerto Rican independence whose terrorist acts have killed and injured scores of Americans. Below are a few data to help digest the issue.

Bombings for which FALN claimed credit, 1974 to 1983	130
Americans killed by FALN terrorism	6
Americans injured by FALN terrorism	84
FALN terrorists who contested the prosecution's evidence at trial	0
FALN terrorists who apologized to their victims	0
Freed FALN terrorists who had stated they felt no remorse	At least 1
FALN terrorists to whom Clinton offered clemency	16
FALN terrorists who requested clemency	0
FALN terrorists who accepted clemency	14
FALN terrorists granted an early release from prison	11
Federal law enforcement agencies opposed to clemency for FALN members	4

Yet raw numbers cannot tell the entire story. To understand the danger and gravity of President Clinton's clemency grant, it is necessary to put words around the numbers, including testimony that FALN investigators and victims gave to the Senate on September 15:

- "[T]he Federal Bureau of Investigation, the Federal Bureau of Prisons, and 2 United States Attorneys all reportedly advised the President not to grant leniency to the 16 terrorists." [S.J.Res 33, which passed the Senate 95-2]
- "On January 24th of [1975], I was having lunch with two colleagues, Charlie Murray and

Frank Connor and three clients, Jim Gezork, Alex Berger and Dave Urskind. We were seated at a table [at Fraunces Tavern in Manhattan] overlooking Broad Street, about to return to work when a bomb, placed in a doorway next to our table, detonated, destroying our corner with shrapnel and debris. Jim, Alex, and Frank died terrible deaths, barely recognizable to their families. Another man, Harold Sherburne, who was upstairs at the time of the blast, was also killed. Charlie, David and I suffered multiple wounds, many of them from shrapnel. More than fifty other people sustained injuries as well." [Bill Newhall, FALN bombing victim]

- "[T]heir criminal activity was not limited to indiscriminate bombing. It also included apolitical crimes such as weapons possession and robbery." [New York Police Department Detective Rocco Pascarella, injured by an FALN bomb on December 31, 1982]
- "I suffered the loss of one leg below the knee, severe scarring of my other leg, the loss of hearing in one ear, and the loss of my eyesight to the extent that I am no longer able to drive. I was in the hospital for two months. I underwent six operations for my leg and ears and received over 40 stitches to my face, ears and mouth." [Detective Pascarella]
- "On the late evening of Monday, February 28, 1982, four powerful bombs detonated in front of business institutions in New York's financial district. The FALN claimed credit . . . [and] stated that their jailed comrades and members of their organization were being mistreated in jail." [Retired FBI Special Agent Donald R. Wofford] Of the 11 inmates the FALN identified as jailed comrades and members, President Clinton offered clemency to nine. Eight accepted and are now free.
- "[W]hat kind of message does this exercise of clemency send to the world's terrorists? The United States military is sent halfway around the world to destroy a terrorist's camp in a foreign nation, while at home, as wily a group of criminal terrorists as exists anywhere in the world is released upon the strength of a hard wrought promise never to engage in violence again. A release, it appears, that is contrary to the recommendations and warnings of every federal agency involved in the investigation, apprehension, trial and incarceration of this group." [Detective Pascarella]
- "I don't recall ever hearing any expression of remorse, concern or contrition by any member of the FALN for the pain and loss they caused those directly affected, or their families, for this or any other bombing." [Bill Newhall]

Sources: CRS, Senate Judiciary Committee testimony available at <http://www.senate.gov/~judiciary/wl91599.htm>, *The Tampa Tribune*, S.J.Res. 33 (passed 95-2).

RPC staff contact: Michael F. Cannon, 4-2946